

**THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
CRIMINAL CASE NO. 1:09-cr-00013-MR-DLH-7**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**vs.**

**DORIS FOSTER,**

**Defendant.**

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**ORDER**

**THIS MATTER** is before the Court on the Defendant's "Motion Pursuant to 18 U.S.C. § 3582 for a Reduction in Sentence in Light of Amendment 750" [Doc. 907].

By the present motion, the Defendant seeks a reduction in sentence pursuant to 18 U.S.C. § 3582 and Amendment 750. [Doc. 907]. The Court previously determined that the Defendant is not entitled to relief under Amendment 750.<sup>1</sup> [Doc. 820]. For the reasons stated in that Order, the Defendant's motion is denied.

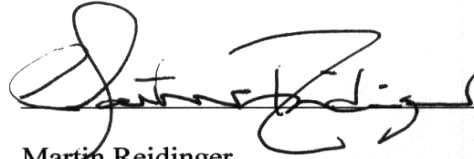
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<sup>1</sup> The case to which Defendant cites in this present motion pertains to the situation where a defendant was sentenced after the effective date of Amendment 750, but was deprived of the application thereof. Such authority is completely inapplicable to Defendant's case because she was sentenced before the effective date of Amendment 750. Therefore, any application of that Amendment to Defendant's case would be a retroactive application. As held by this Court previously, however, Defendant is ineligible for such

**IT IS, THEREFORE, ORDERED** that the Defendant's "Motion Pursuant to 18 U.S.C. § 3582 for a Reduction in Sentence in Light of Amendment 750" [Doc. 907] is **DENIED**.

**IT IS SO ORDERED.**

Signed: January 24, 2018

  
Martin Reidinger  
United States District Judge



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retroactive application. She was, however, eligible for relief under Amendment 782 and received the benefit thereof.